

King County Agriculture Commission

REVISED

Minutes from June 10, 2004

Issaquah Salmon Hatchery

Issaquah, WA

Commissioners Present: Michaelae Blakely, George Irwin, Roger Calhoon, Dick Gradwohl, Nancy Hutto, Gaylia Bullock, Grant Davidson, Ben Kodama, and Bob Tidball

Commissioners Absent: Judy Duff, Ewing Stringfellow and Jason Roetcisoender

Staff: Judy Herring, Eric Nelson, Claire Dyckman, Steve Evans, Laurie Clinton, King County (KC) Dept. of Natural Resources and Parks (DNRP) Agriculture Programs; and Sylvia Kantor, Washington State University (WSU) Extension KC

Guest Agency Staff: Bob Burns, Deputy Director, KCDNRP; Karen Wolf, KC Executive's Office; Dave Marks, Manager KC Fairgrounds; and Josh Monaghan, King Conservation District (KCD)

Guests: Ann Mack, Judy Taylor, Jan Hunt, Marguerite Sutherland, Will Knedlik, Michael Tanksley, and Tom Quigley

Vice-Chair George Irwin called the meeting to order at 4:07pm.

Roll Call – those present above identified them selves, Judy Duff and Ewing Stringfellow had notified staff to be excused.

George requested introductions around the room and thanked everyone for attending.

Commission Roundabout

Gaylia Bullock mentioned that spring is sheep shearing time and there is always a need for more sheep shearers. Also as a result of the warm weather and spring rains the pasture grass is growing well.

Ben Kodama said he had reviewed grant applications as a member of the selection committee.

Grant Davidson reported that Farmer's Markets are up and running and doing great. This is the first time that fresh Copper River Salmon has been available. Also, due to the efforts of the State Farmer's Market Association, vendors will be selling wine from small wineries - there will be no tasting though.

Nancy Hutto shared her observation that a little more sun would be good for the bees and blackberry blossoms. She continues her work with Hmong farmers at Pike Place Market helping to ensure they are included in ongoing issues such as displays and composting.

Dick Gradwohl has been working on direct marketing with a company in Colorado. He has developed a new breed of miniature cattle called the Certified Giant Panda.

Roger Calhoon said things are still happening fast and furious and while strawberries are pretty much over, the first picking of raspberries was yesterday, which is a couple weeks early. Snow peas are ready, too.

Bob Tidball had a great time in Spain, then returned home to a field of weeds that had flourished in his absence. He's now working on the field to be able to replant next spring

Michaelae Blakely's life is a never-ending cycle of harvesting, planting and selling now that Farmer's Markets have started. She continues to work diligently on the poultry processing facility project.

George Irwin reported that the big news in the cattle industry is the bovine spongiform encephalopathy (BSE) testing changes. Annually about 20,000 head are tested in the US, and with the new program funding from United States Department of Agriculture (USDA) that will increase to 100,000.

Approximately 20,000 head just in this state will be tested. WSU has been certified as a repository for the testing lab. These tests, known as "quick tests" resulted in a lot of false-positives when used in Italy. In the US, an animal that tests positive will be held while more extensive testing is done in Ames, IA.

Approval of Minutes

Motion 01-0604 Motion made by Ben to approve the May minutes, second from Nancy. One change was requested by Ben that in his Roundabout piece Evergreen High School should be Mount Rainier High School. Motion passed.

Commission Business

Staff Report: Laurie announced that the Commissioners meeting time ballots set the future meetings from 4-7pm. She also reminded everyone to please respond to the request sent by Dick Carkner to help the Pierce County Board in their planning for the next Western Washington Agriculture Summit. She thanked those who had already responded. Laurie reviewed the updated public outreach plans for Commission meetings. There was discussion on newspaper articles, flyers and organizations to contact.

Eric let the Commission know about possible changes occurring within Ag Programs and throughout its division. The Division Manager or Assistant manager will attend the July or August Ag Commission meeting to go over the new division business plan and provide more detail on the direction the division is headed.

Eric also reported on the success of the changes in how the 2004 fish permits are going to be permitted. Landowners will need to get a drainage plan with the KCD and a hydraulic permit approval from the state. The Department of Development and Environmental Services (DDES) will then basically give a counter permit, which they are still creating.

He and Claire have been working on the AG Activities Administrative Rule, which sets the ag standards in the CAO and Clearing & Grading Ordinance. A draft will go out to the Regulatory Committee soon. Eric said staff continues to work closely with the KCD to ensure they are comfortable with the document. Eric congratulated Grant, Nancy and Dick for their June 3rd confirmation at the County Council Natural Resources & Utilities Committee meeting.

On behalf of Judy, he told everyone she has set a meeting for June 29th from 4-6pm at the Duvall Fire Station with the developer of the wetland mitigation project in south Snohomish County.

Laurie and Dave Marks led the discussion Ag Commission involvement at the Fair. There will be Ag Commission information and a place for Commissioners at the WSU Rural Landowner/Agriculture Tent. Laurie suggested that a couple Commissioners judge the 4-H BMP contest also. WSU, KC Ag Programs and the KCD are jointly sponsoring a KC Agriculture "Passport Program" public outreach activity at the Fair aimed at providing education on the importance of agriculture education. This is due to a request made by Dave to WSU for support in providing additional ag education to the largely urban fair-goers. Dave said two things prompted this: the mission statements of the Fair and the fairgrounds are to promote ag; and because the WSDA State Fair Board evaluation has consistently given the Fair low marks in agriculture promotion. The passport idea is to hopefully accomplish this in a simple, fun and interesting way.

Laurie reminded everyone that the next Ag Commission will be during the Fair – July 22nd, Thursday, 4-7 in the Field House. Parking issues were addressed and Dave said he would ensure that the Ag Commission meeting attendees would be able to park in the Field House parking lot.

Agency Reports

King Conservation District: Josh handed out the fact sheet on how to develop a Farm Plan. He announced that there is a soil conservation position opening with the Natural Resources Conservation Services (NRCS) office. He let the Commission know that this quarter there has been more of a demand for farm plan assistance than there has been since 1996. They do about 65 farm plans a year, and just in the last three months they've had around 35 farm plan requests. Josh wondered if it's because of the KC Critical Areas Ordinance (CAO) and farm needs. He said whatever the reason, they are very busy.

Washington State University (WSU) Extension: Sylvia highlighted a couple of items from her written report; the completed Small Farm Expo (SFE) 2003 report; the flyer recruiting participants and sponsors for SFE 2005; and the first KC Food Policy meeting which drew interest from the nutrition, hunger and health world as well as the farm and ag world. She will invite Leslie Zenz from the WA State Department of Agriculture (WSDA) to do a briefing either next month or August. She also reported that a very successful event was held in conjunction with WSDA on May 13th in Seattle. The "Farm-to-School Forum" had over 100 people attend to learn about getting farm foods into schools.

Finally, she reminded everyone about the 6th annual Harvest Celebration Farm Tour in Oct. 2nd. The sponsor-seeking phase is in a critical period. This year for the first time, advertising will be done in the

Seattle Weekly. An insert that will include the farm tour map and other information will be distributed to well over 210,000 readers. She passed around sponsorship invitations and farm tour stop applications.

Staff report – cont’d:

Claire spoke about the Ag Commission’s role in relation to the Watershed Forum and Watershed Resource Inventory Area (WRIA) plans that are coming out. She said the Snohomish, Snoqualmie and Cedar draft plans will be done in June. These plans will be reviewed by the Commission and others prior to their public release in November. She explained that the WRIA plans are coverage under the Endangered Species Act (ESA) and the KC Council will make the decision if any elements of the WRIA plans mandatory or not. There will be more discussion at the August meeting.

Ag Grants Approval

NOTE: Michaele, Grant, Eric, Steve and Laurie left the room because they had involvement or interest in a grant proposal project.

George reported on the Grant Application Rating Committee meeting on June 2nd. He read the committee report that provided a brief summary of each one of the nine proposals and explained the selection process used by the Committee. George said that since there is about \$13,800 left in the grant account and another \$13,000 may be available later in the year, the committee decided to recommend a two-tiered approval proposal. The top three selected for the first tier were:

1) The KCD/Hmong Farmers Manure Spreader Project, which is to assist them in purchasing a manure spreader to provide, manure spreading services. The KCD felt there are a lot of horse operations that compost manure but are unable to justify the cost of a manure spreader. This would give an opportunity for the KCD and the Hmong Farming group to offer this service. Amount awarded - \$5,500.

2) The Carnation Farmer’s Market is a new market scheduled to open June 15th: vendors must be from Washington; focus will be on agricultural products; and will provide an income for farmers. The Market makes sustainable or organic grown products available and will help build a sense of community. Amount awarded - \$5,000.

3) The White Center Farmer’s Market sponsors seasonal farmers only. It’s a Saturday Market that has a large minority farmer representation; charges low vendor fees; customers represent ethically and economically diverse populations; and participates in programs that enables state issued vouchers for purchasing fresh produce. Amount awarded - \$3,300.00.

There was general discussion on the proposals and how they were scored, with specific questions on the top three selected as well as the second tier selected. George reminded the Commission that they were only voting on the top three at this meeting.

Motion 02-0604 Nancy moved to accept the recommendation of the grant amounts to the three projects. Gaylia seconded. Motion passed.

(George called those listed above back to the meeting) George, speaking for the committee wanted to be clear that even though they set this rating it doesn’t mean that any of the proposals were unworthy. The Committee just felt that those three best met the criteria.

Farmlands and Fields

Bob Burns and Karen Wolf returned to continue the discussion and provide more details on the Farmlands and Fields Project that involves lands in the Sammamish Valley Agriculture Production District (APD). This was a very long discussion on the issues raised by the proposal with many questions and concerns voiced by all Commissioners. The myriad of issues included: how the proposal came about; the consequences to the Farmland Preservation Program (FPP); court rulings involving ball fields on ag land; covenants of the FPP; current and future zoning of parcels; water rights and relinquishments; confirmed appraisals, appraisals underway and appraisal processes; current County financial situation; and review of parcel locations. In order to provide clarity, the proposal identified as II in the Farmland & Fields Project was called “**Part 1**”, and III & IV were called “**Part 2**”.

Part 1 – Bob and Karen said the appraised value of 60 Acres South was \$850,000 and the property it would be swapped for, Parcel B, was appraised at about \$775,000. Currently, the Lake Washington

Youth Soccer Association (LWYSA) owns Parcel B and the County owns the development rights on it. The County owns the undeveloped parkland, 60 Acres South. This swap would enable the LWYSA to build soccer fields on 60 Acres South. The County would then own both the underlying fee and the development rights on Parcel B. The goal for Parcel B would be to have the property farmed, either through a lease arrangement or by selling the underlying fee.

There were questions about having a guarantee that the LWYSA would use that land for soccer purposes. Bob said a purchase and sale agreement would include two specific parts; a requirement it remains a park accessible to the public and available to non-LWYSA membership and that soccer fields are built. There would be a deed restriction that it could not be sold for development purposes or used as a private club. In response to questions on whether or not Parcel B had been farmed, Bob said it was his understanding that there had been minimal farming activities on the site. There was some discussion on the Memorandum of Understanding; particularly the section referring to LWYSA's belief that soccer would be an allowed use on the Muller property. There was mention of a letter sent to the soccer association telling them that active recreation would not be allowed. Commissioners requested staff to obtain a copy for them.

In regards to **Part 2**, the Commission voiced concerns that circumventing the deed restrictions on the FPP properties is a crucial issue because it could set a precedence that affects all preservation properties. Michaela felt the covenants are quite clear as to what uses are allowed. The Commission asked if **Part 1** and **Part 2** could be separated and also how **Part 2** became part of the swap. Bob and Karen explained the circumstances that led to the Farm & Fields Proposal. The decision on whether or not the LWYSA would entertain just **Part 1** will be decided at their June 30th Board of Directors meeting.

Another question raised was as to why the proposal did not include Parcel C. Karen explained that the LWYSA wasn't willing to put that up for sale. She said that would have been a welcomed component of the proposal. Grant asked if there was any known, or a possibility of any future FPP property purchases for a use that is not allowed and the landowner plans on challenging it in court. Bob and Karen said they were not aware of any. Bob Tidball gave an example of FPP's in the Green River Valley where large tracts have been purchased by developers. There was more discussion on the Parcel B aspect of the swap. Karen said that the County feels that the swap of Parcel B is very unique because it enables the County to get farming back on the property in a trade for undeveloped recreational land. Bob added that the support from the County on it is because the land being traded is not in anyway ag related. Nancy voiced her thought that she feels the concern is that what may be given up to get that is the concept - that Farmland Preservation Property is kind of sacred. Talk continued on what it would entail to break the FPP covenant to allow this swap to happen. Bob explained that the only way to remove this property (Parcel A) from the FPP is a countywide vote and in order to take this back to a vote of the people it would have to be shown the land is not suitable for agriculture. The ballot measure they are envisioning would be an initiative before the voters of KC to remove that parcel from the FPP and replace it with an equal amount of acreage in the vicinity of that parcel, which would be added back into the FPP. This has never been done before.

George restated the premise of **Part 2**: the component of proposing to sell the development rights back to the LWYSA on Parcel A, and reinvest those funds possibly somewhere in the north end of that APD if those properties are for sale. Bob said there would be contingencies; the vote will have to pass to replace the property before the rest of the swap can be accomplished. Going back to the issue of proving land to be "unfarmable", Bob Tidball added that the Benaroya property court case, which is just to the west of parcel A, went all the way to the state supreme court, and the court ruled that an owner's intention does not remove the ag quality, capacity or valuation. Roger said one of the aspects that bothered him most was the idea that by selling the development rights back; the County would be selling development rights to itself. He also asked about any extra funds from the swap and what would happen to them. Bob said that Park property funds would go back to Parks. In regards to the parcels at the north end of the APD Bob explained that the county owns three parcels (as identified on map) and the intent would be to sell the underlying fee or purchase the development rights depending on which piece. The acreage of those

approximates the acreage of Parcel A. Dick asked about the water rights or if there were any water right relinquishments issued on the parcels and which ones were documented. Bob said they had been working with the Department of Ecology (DOE) and would confirm water right status. Bob also added that as a side note; the KC Wastewater Treatment Division has a project underway that could possibly put a water reuse facility in the valley and they are considering siting it on 60-Acres South, which would provide a sufficient water source for that property and others.

Karen reminded the Commission that while the County agreed to - as part of the Bear Creek agreement - to consider **Part 2**, they didn't agree to support it. She also asked the Commission to please note that it was originally suggested that another advisory committee be created, but the County position was that the swap proposal would suffice and the Ag Commission was in place to provide recommendations.

Bob stated again that as soon as they learn the decision made at the LWYSA Board of Directors meeting on June 30th - whether or not they are willing to separate the two parts - he and Karen would try and get that information to Commissioners prior to the July discussion. Additional concern was expressed about how to ensure a process like this does not become routine, that it stays a unique, one time event. Ben said his question to himself as a Commissioner was whether or not he wanted to put the Farmland Preservation Program at risk. Gaylia offered her thoughts that as Commissioners one of the charges is to look out for agriculture and part of that would be to ensure this proposal proves to be good stewardship of the public's money.

George summarized the requests for the next meeting: the actual value of development rights for Parcel A; what substantial change would be made for the future to evaluate FPP properties if Parcel A would be determined to not be suitable for farming, since the assumption is that proper assessment methods were made when the development rights were originally purchased; documented status of water rights on the properties in question; and how the proposed water reuse project is planned to benefit any of these properties. George also asked for direction as to how to make a recommendation on this proposal to the Executive and Council. Karen thanked the Commission for their time learning about this proposal and said that what would be helpful, as well as anticipated by the Executive and Council, would be a letter that is specific to **Part 1** and **Part 2**, and the rationale for the decision. George thanked Bob and Karen and said the Commission would see them again at the next meeting on July 22nd at the Enumclaw Fairgrounds.

Laurie offered to organize a field trip, based on Nancy's suggestion to see the sites in the proposal. She will contact Commissioners with the details.

George reminded people that Chair Judy requested an invitation be extended to anyone who would like to do their own presentation in regards to this specific issue at the July 22nd meeting. They will be allowed up to 5 minutes. The Commission intends to make a decision on its formal response to this issue at that meeting. He asked anyone interested to be sure and contact Laurie to be placed on the agenda.

Public comment

Will Knedlik provided a brief history on the use of the properties. He explained his working agreement as a lessee of Parcel A. He also explained the soil conditions on the property that he believes to be the result of fill brought in by the LWYSA. He expressed other concerns about the proposal.

Jan Hunt talked about her concerns about the proposal.

Judy Taylor encouraged everyone to sign her petition against this proposal. She explained the series of actions that led to this proposal and voiced her opinion that this would be very detrimental to the FPP. She also talked about the issues of determining what is farmable land and explained the zoning issues in regards to this proposal.

Anne Mack said she feels this proposal is a betrayal of the KC voters who taxed themselves to hold the FPP lands in perpetuity. She also cautioned that there is no assurance that if the LWYSA is able to disregard the deed restriction this time that they won't disregard it or any other restrictions in the future.

Michael Tanksley agreed this is a complex issue and made the point that based on his knowledge of the situation it is evident the LWYSA knew what they were getting in to when they purchased the property. He believes that Parcel C should be part of the Parcel B proposal although that doesn't mean he supports that swap. *He entered the position of the Hollywood Hill Association into the record.

Tom Quigley shared his experiences in the Sammamish Valley as it relates to this proposal and the impacts on agriculture. He feels there is merit to this proposal, and that times change and what was thought to be a support for farming twenty years ago doesn't mean it holds true today. He strongly encouraged the Commission to look at this proposal not just as a land swap, but also as an opportunity to Parlay this into a significant marketing opportunity presented by the tremendous amount of people who drive through the valley daily.

Marguerite Sullivan spoke on behalf of PLAN (Preserve Land for Agriculture Now). She encouraged the Commission to be strong and make a decision based on what is best for agriculture. *She entered her letter into the record.

New Business

There was a brief discussion on the Farmlands & Fields Project field trip and what parcels would be viewed. Mr. Knedlik offered a tour of his leased property that is included in the proposal. The situation of possible filling without a permit was mentioned in reference to Mr. Knedlik's comments during Public Comment. George inquired to staff if there was a permit required for that activity, and to look into it further.

Steve Evans announced the upcoming Ag Summit in Puyallup. On behalf of the Pierce County Agriculture Advisory Board he said they have requested that an Ag Commissioner from each of the neighboring counties attend some of the Summit planning meetings. Bob Tidball agreed to represent the Commission. Steve will contact him with meeting information.

Judy let everyone know that the KC Homepage's weekly survey was on the value of locally grown food.

George reminded Commissioners to please retain packets because they have a lot of information and to avoid having to copy it again.

6:55 meeting adjourned.

**Copy will be mailed upon request (contact Laurie Clinton 206-296-1471 or email*